App F IX 4

Previous References

1947 48
(nil)

File No 109 47
Serial Nos 1 - 2

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos

The C

Part B for Jury 48

SUBJECT

Loan Sanction of a building at Ti-en-Hang to Mie Fetta al Hassan

1-122 ex 8. 2-14+ D

The D C Hassan
Hab; that Government agree
with his proposal and thanks
the Suzerain of

8918/L

construction of a building at the entrance to the pettā at Hassan

From
The Dy Commr - Hassan District
No Ml C 1411/46 47 dated 21 4 47

Forwards a copy of his order dated 22 4 47 suspending the grant of a license by the Hassan Town Municipal Council for the construction of a building by Mr H S Venkatachalaseth at the entrance to the pettā at Hassan and requests approval thereto

1) The suspension of the license ordered by the DC is seen to be on the ground that the construction of the building at the place would cause considerable inconvenience to the public of the town

2) Sec 194 (1) of the Mysore Town Municipalities Act provides for the suspension of resolutions and orders of the Municipality council by the DC if the execution of such resolution or order is apprehended to cause a breach of peace or to causes annoyance or injury to the public or illegal in itself subject to the final approval of Govt

~~For orders of the action of the DC may be approved~~

(P T O)

8915/L

3) under the proviso to clause 2 of the said Section the Municipal Council Shall be given a Reasonable opportunity of Showing Cause against the said order before it is Confirmed by Govt

4) Submit for orders

No 29/4/W, 5) - It required under the provisions to clause 2 of Sec 19 of the Bombay Town Planning Act, the Govt has to call upon the Municipal Council to show cause as to why the order proposed to be passed should not be confirmed by Govt, by giving the Municipal reasonable opportunity for doing so. We do accordingly, and submit herewith for approval

(A) the draft letter to be addressed to the above person & send it for signature

requesting to take action accordingly, on behalf of Govt

6) (A) may be done

Minister for Rev & Forests

OFFICE OF THE MINISTER FOR REVENUE
No. 9725/47
Date 5-5-47

7) Submitted

8) Draft letter put up

9) Letter to the Dy. Collector of Thana to put up

No 7/5/W.

10) Done

7/5/47

7/5/L

Re L & O - Hassan Dt
No L 15769 Dt 10 5 47

Tamil recd.

n-A 12/5 Letter No M & C 1411/46-47 Dt 30 10 47 from the Dy Commr, Hassan Dt, furnishing a report on the matter

1. It is reported that when an opportunity was given to the Hassan Town M.C.C, they have resolved that the site on which the buildings proposed to be constructed was granted to Mr Venkatachella Setty according to Mr Krumbigal's plan, that the suspension order may be vacated since they would be sufficient space for the office & that the building to be constructed would be in-line with the other buildings

13 The Dy Commr who inspected the spot is of opinion that the suspension order passed by his predecessor in office may be vacated in view of the fact that

8915/1

8915 √ 2344

that it would not interfere either with the traffic or with the Circle.

14 The Dy Commr in view of the facts stated above agrees to that the question may be dropped & the suspension order vacated & Solicitor ordered

Ills 10/11 Dy 10/11/47 15 The opinion of the present D-C Harrison who has inspected the spot & has given valid reasons in support of his request for vacating the suspension order may be accepted & orders accordingly. Issued vide S.I. 647. Supra 15/11/47

16) The suspension order may be ordered to be vacated as recommended by the D-C

THE I ... LOCAL SELF C ... VE ... MENT
No 4885
Date 18 12 47

Minister (S. G.) Yes 32e 16/12/47 19/11/47

Dft letter for 19/11/47 S 18/12

2344
2

ML 109-47

Submit a draft letter for appl

KMA 22/12

(42) To The Dy Commr Hasan dt
No L/12240 dy 2-1-48

States that Govt agree with his proposal and Vacates the suspension order

24/1

No: 1 C 1411/46-47 /Incl:One

Office of the Deputy Commissioner,
Hassan District,
Dated Hassan the 21st April

To

The Secretary to Government,
Revenue Department,
Bangalore

8915

Sir,

Re: the construction of a building at the entrance to the petta at Hassan

I have the honour to forward herewith a copy of my order dated 22-4-47 suspending the action of the Town Municipal Council, Hassan in granting the license for the construction of a building near the Circle adjoining the Bombay Hall by the side of Bangalore Mangalore Provincial road and to request that my action may kindly be approved for reasons stated therein

I have the honour to be,
Sir,
Your most obedient servant,
E. Kumarachandra
for Deputy Commissioner,
Hassan District

EVR

sunk at a cost of more than thousand
slabs

No Ml C 1411/46-47

Office of the Deputy Commissioner,
Hassan District,
Dated Hassan the 22nd April 47

Memo

Reference - Letter No O C137/46-47 dated 13 3 1947 re the construction of a building by Mr H S Venkatachalasetty at the entrance to the peta at Hassan

--

It was noticed that a foundation was being excavated by the side of Bombay Hall near the circle at the entrance to the big bazar in Hassan Town As this is a bus place the Municipal president was requested in this office letter No Ml C 363/46-47 dated 2 1 1947 to stay further action and to forward he connected records to examine the feasibility or otherwise of allowing the construction or acquiring the land if privately owned The president has furnished only the license application of one Venkatalaksmamma wife of Mr H S Venkatachalasetty praying for renewal of the license and the plan of the proposed building adjoining the Bomnay Hall and without other details The Executive Engineer has stated in his letter No 1609 dated 25 2 47 addressed to the president that the building may perhaps be allowed and he has not furnished his definite opinion

I have inspected the spot in question and carefully considered the situation There is a circle where roads join from all the four sides and this site is situated in a corner touching the Bangalore Mangalore road and at the entrance to the petta This is a very busy place for vehicular traffic and the public and if any building of any kind is allowed to be constructed not only the beauty and utility of the circle will be lost but great inconvenience will be caused for traffic at this narrow corner Further there is a small passage by the rear side of this site and the Bombay hall leading into the Municipal market and the public will be put to considerable inconvenience In the interest of the safety to the vehicular traffic and moving public and to keep the symmetrical beauty at the entrance of the Bazaar road it is very desirable to keep this place open The action of the Municipality in granting the license for the construction of the building on this land is therefore suspended under section 194 of the Town Municipal Act The Municipality will arrange to acquire this plot and keep it open Besides it is understood that there is a big Municipal well underneath it sunk at a cost of more than thousand rupees and since closed with big slabs

Sd/- H Niranjan Raj Urs,
Deputy Commissioner,
Hassan District

"Copy"

Deputy Commissioner,
Hassan District

EVR

No entrance to it

G R S App F 4 3

GENERAL AND REVENUE SECRETARIAT

(~~Continuation sheet draft form~~)

L 1569 / d. 10.5 4

To

The Dy Comm
Hassan District

Sir

With Reference to your letter No Ml c 1411/46 (4) dated 21 4 47 forwarding for confirmation a copy of your memo No Ml c 1411/46 (4) dated 22-4-47 Suspending under Sec 194 (1) of the Town Municipalities Act 1951 the grant of a License by the Local Municipal council to one Mr H S Venkatachala Setty for the Construction of a Building at the entrance to the Bazar in Hassan Town, I am directed to State, that under the proviso to clause (2) of the said Section the Municipal council shall be called upon to Show Cause

* by the date of their ordinary next succeeding meeting

WD 0436—GPB—10 000—17-10-33

to why the Suspension order passed by you
should not be confirmed by giving
the Municipal Council Reasonable
opportunity to explain its
position and to request
you therefore to take the necessary further
action accordingly, giving sufficient time to the M.C. to show cause against your
~~order~~ and to Report the Result thereof order

early

I have the

honour

to be Sir

Your Most Obedient Servant

7/5/47

28

MC 109-47-1

...n District,
...ted Hassan the 9th October

No L C 1411/4 -47
Record

From

The Deputy Commissioner,
Hassan District

To

The Secretary to Government,
Revenue Department,
Bangalore

REVENUE SECRETA...
No. Dir, -
3/11--
...MENT OF MY...

Sir,

...ith reference to the construction of a building at the entrance to the Petta at Hassan

---

With reference to your letter No L 157[illegible] dated 10-5-47 directing that the Municipal Council of Hassan may be given an opportunity to explain as to why the suspension order passed prohibiting the construction of a building at the entrance to the petta should not be confirmed, I have the honour to state that an opportunity was given to the Municipal Council and they have resolved that the site on which the building is proposed to be constructed was granted to the applicant according to Mr Krumbigal's plan and that the suspension order may be vacated since there would be sufficient space for traffic and that the building to be constructed would be in line with the other buildings

I inspected the spot and found that the foundation for the building has been laid in accordance with the license granted by the Municipality who have followed Mr Krumbigal's plan As this does not interfere with the traffic or the circle and as the construction of the shop building as per plan gives a good appearance facing the circle and the road, I am of opinion that the suspension order passed by my predecessor in office may, kindly be ordered to be vacated and the question dropped

The connected records with the plans and copy of resolution of the Municipal Council in the matter are enclosed

I have the honor to be,
Sir,
Your most obedient servant,

L Nanjundiah
Deputy Commissioner,
Hassan District 30/10

C No
Ref on Pet No } 19 —19
App No
Dis No
Enclosure Dated
Approved on
Copied on by
Examined on by
Signed on Despatched on
Entered in
Current Petition Appeal { Register on / By
Periodical
Reminded on

WD 01963—GPB—1 00 000—16 12-46

DRAFT L/12240/R
2 copies
ML 109-47-2
2/1/48

To
The Deputy Commissioner
Hassan Dt

Docke Abstract

Sir

With reference to the Correspondence ending with your letter no ML & L C 1411/46-47 dt 30-10-47. stating that when an opportunity to explain as to why the suspension order prohibiting the construction of a building by Mr H S Venkatachella Setty, at the entrance to the Pete at Hassan should not be confirmed was given to the meeting, they which have, at their meeting held on 30-4-47 ~~have~~ resolved that the site on which the building is proposed to be constructed was granted to the applicant in accordance with the Municipal plan & that the suspension order issued in this behalf may be vacated since there would be sufficient space for traffic & that the building to be constructed would be in line with other buildings and requesting that the suspension order may be vacated, I am directed

Accordingly I direct
to state that the Govt agree with your last the suspension
order in question be vacated

The records accompany^

I have etc

for Secy to Govt
Hkg Law Deptt
Fr 22 10 47

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No. L 12240/Rt 109-47-2 **General and Revenue Secretariat**
Dated Bangalore 2/1/ 1948

FROM

The Secretary to the Government of
His Highness the Maharaja of Mysore
Revenue Department

TO

The Deputy Commissioner,
Hassan District

SIR

With reference to the correspondence ending with your letter No W I C 1411/46-47 dated 20th October 1947 stating that an opportunity to explain as to why the suspension order prohibiting the construction of a building by Mr [illegible] at the Petty at the entrance to the Petta at Hassan should not be confirmed was given to the municipal council, they have at their meeting held on 30th April 1947, resolved that the site on which the building is proposed to be constructed was granted to the applicant in accordance with Mr Krumbiegel's plan and that the suspension order issued in this behalf may be vacated since there would be sufficient space for traffic and the building to be constructed would be

Spare copy

in line with other buildings and requesting that the suspension order may be vacated, I am directed to state that the Government agrees with your and accordingly direct that the suspension order in question be vacated

The records accompany

I have the honour to be,
Sir
Your most obedient servant,

for Revenue Secretary to Government

LC/2